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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Application Number: 10/730,330
Filing Date: 12/8/2003
Applicant(s): Thomas E. Creamer, Neil Katz, Victor S. Moore
and Scott Winters
Entitled: OPERATING A CALL CENTER BASED UPON LINE
INFORMATION DATABASE (LIDB) DATA
Examiner: Knowlin, Thjuan P.
Group Art Unit: 2614
Attorney Docket No.: BOC920030109US1 (1082-013U)

TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is Appellant's Appeal Brief in support of the Notice of Appeal filed June 20, 2007. As this Appeal Brief has been timely filed within the shortened statutory period of two months from the date of the filing of the Notice of Appeal, no extension of time under 37 C.F.R. § 1.136 is required. Notwithstanding, please charge any shortage in fees due under 37 C.F.R. §§ 1.17, 41.20, and in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-3839, and please credit any excess fees to such deposit account.

Date: August 20, 2007

Respectfully submitted,

/Steven M. Greenberg/

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APPEAL BRIEF

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Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed June 20, 2007, wherein Appellants appeal from the Examiner's rejection of claims 1 through 17.

I. REAL PARTY IN INTEREST

This application is assigned to International Business Machines Corporation by assignment recorded on December 8, 2003, at Reel 014777, Frame 0038.

II. RELATED APPEALS AND INTERFERENCES

Appellant is unaware of any related appeals and interferences.

III. STATUS OF CLAIMS

Claims 1 through 17 are pending in this Application and have been twice rejected. It is from the multiple rejections of claims 1 through 17 that this Appeal is taken.

IV. STATUS OF AMENDMENTS

The claims have not been amended subsequent to the imposition of the Final Office Action dated March 23, 2007.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed to a call center, independent claims 4 and 9 are directed to methods for processing a call in a call center using information stored in a LIDB, and independent claims 11 and 16 each are directed to a machine readable storage having stored thereon a computer program for processing a call in a call center using information stored in a LIDB in a PSTN.

In accordance with the Appellants' invention, a call center can be operably configured to retrieve a key into a customer information database from an LIDB disposed within a PSTN. In accordance with the Appellants' invention, a call center (Figure 2, Element 290) can be coupled to a gateway node (Figure 2, Element 250), between a PSTN (Figure 2, Element 200) and a data communications network (Figure 2, Element 270). The LIDB (Figure 2, Element 260) can be disposed within the PSTN and can be configured to store a key into a customer record stored

within an enterprise data driven application coupled to the call center (Par. [0011], lines 1-5). In this way, when an incoming call is processed in the PSTN to connect to the call center, the key stored within the LIDB can be delivered to the call center through the gateway node with which a customer record can be retrieved for the incoming call (Par. [0011], lines 9-14).

VI. ISSUES TO BE REVIEWED ON APPEAL

1. Claims 1 through 17 are not anticipated under 35 U.S.C. § 102(e) by U.S. Patent Publication No. US 2004/0264673 by Novack.

VII. THE ARGUMENT

THE REJECTION OF CLAIMS 1 THROUGH 17 UNDER 35 U.S.C. § 102 AS BEING ANTICIPATED BY NOVACK.

For convenience of the Honorable Board in addressing the rejections, claims 2 and 3 stand or fall together with independent claim 1, claims 5 through 8 stand or fall together with independent claim 4, claim 10 stands or falls together with independent claim 9, claims 12 through 15 stand or fall together with independent claim 10, and claim 17 stands or falls together with independent claim 16.

I. Novack Does Not Teach a Query Interface to an Enterprise Application. Novack Does Not Teach Querying an Enterprise Application. Novack Does Not Teach Forwarding a Search Key to an Enterprise Application.

Presently, claim 1 reads as follows:

1. A call center comprising:

at least one phone handset coupled to a gateway to a public packet switched telephone network (PSTN);

an enterprise application associated with said at least one handset and at least one data terminal coupled to said enterprise application and disposed in proximity to each of said at least one handset;

a database of caller information coupled to said enterprise application, each record in said database having a configuration for location based upon a searching key;

at least one line information database (LIDB) disposed in said PSTN and configured to store individual searching keys, each of said individual searching keys having an association with a corresponding subscriber to said PSTN;

a gateway node communicatively linked both to said PSTN and said enterprise application; and,

a query interface to said enterprise application programmed to select records in said database of caller information based upon an individual searching key received from said LIDB through said gateway node.

Notably, in the Response filed on January 9, 2007 (the "Response"), the Appellants observed that Figure 1 of Novack failed to teach or suggest a "query interface" to an "enterprise application". Specifically, the Appellants stated,

Figure 1 of Novack, however, fails to show the presence of an enterprise application excepting for "Application Server 185". The Application Server 185, however, is not coupled to any query interface shown in Figure 1 (a feature wholly absent in Figure 1), nor is Application Server 185 associated with any handsets from a plain review of Figure 1.

In the Final Office Action, the Examiner attempted to cure the observed deficiency of Novack by referencing Paragraph [0035] of Novack. The entirety of Paragraph [0035] is reproduced herein for the convenience of the Honorable Board

[0035] The switching network may be an advanced intelligent network (AIN) that includes service switching points and service control points. A service switching point is connected to an individual communications device, such as a phone or modem. The service switching point responds to particular dialing patterns or sequences input to the individual communications device. The service switching point triggers when it detects a predetermined dialing pattern and sends a query via a signaling network to a service control point. The query to the service control

point results in an instruction to forward the call from the service switching point to a host intelligent peripheral.

As it will be apparent from the foregoing recitation, a query can be provided to a service control point (presumptively through a query interface), however, the service control point of Paragraph [0035] is not the Application Server 185 shown in Figure 1. Rather, the service control point described in Paragraph [0035] is completely separate from the Application Server 185 and is represented as "control point 155" in that same Figure 1. All of the Appellants' independent claims require the presence of a query interface to the enterprise application, the querying of the enterprise application or the forwarding of a search key to the enterprise application. Under M.P.E.P.

2131, the Examiner must identify within a single reference if possible, all recited claim elements. See Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)(A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference). Accordingly, Novack fails as an anticipatory reference.

II. Conclusion

Based upon the foregoing, Appellants respectfully submit that the Examiner's rejections under 35 U.S.C. § 102(e) based upon the applied prior art are not viable. Appellants, therefore, respectfully solicit the Honorable Board to reverse the Examiner's rejections under 35 U.S.C. § 102(e).

Date: August 20, 2007

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VIII. CLAIMS APPENDIX

1. (Previously Amended) A call center comprising:
 - at least one phone handset coupled to a gateway to a public switched telephone network (PSTN);
 - an enterprise application associated with said at least one handset and at least one data terminal coupled to said enterprise application and disposed in proximity to each of said at least one handset;
 - a database of caller information coupled to said enterprise application, each record in said database having a configuration for location based upon a searching key;
 - at least one line information database (LIDB) disposed in said PSTN and configured to store individual searching keys, each of said individual searching keys having an association with a corresponding subscriber to said PSTN;
 - a gateway node communicatively linked both to said PSTN and said enterprise application; and,
 - a query interface to said enterprise application programmed to select records in said database of caller information based upon an individual searching key received from said LIDB through said gateway node.
2. (Original) The call center of claim 1, wherein each of said individual searching keys comprises a combination of a caller name and a caller address.
3. (Original) The call center of claim 1, wherein said enterprise application comprises a customer relationship management application.

4. (Original) A method for processing a call in a call center using information stored in a line information database (LIDB), the method comprising the steps of:

retrieving a searching key from the LIDB associated with the call;

querying an enterprise application based upon said retrieved searching key to retrieve caller data; and,

presenting said caller data to a call center operator processing the call.

5. (Original) The method of claim 4, wherein said retrieving step comprises the step of retrieving said searching key from a gateway node disposed intermediately between the LIDB in a public switched telephone network (PSTN) and said enterprise application.

6. (Original) The method of claim 5, wherein said retrieving step further comprises the steps of:

retrieving a combined name and address associated with the call from said gateway node;

and,

passing said combined name and address to said querying step as said retrieved searching key.

7. (Original) The method of claim 4, further comprising the step of presenting an incomplete set of caller data where said searching key cannot be retrieved from the LIDB.

8. (Original) The method of claim 4, further comprising the step of routing the call to a particular operator based upon said retrieved searching key.

9. (Original) In a public switched telephone network (PSTN), a method for processing a call in a call center using information stored in a line information database (LIDB), the method comprising the steps of:

for selected ones of subscribers to the PSTN, storing within subscriber records in the LIDB a searching key into an enterprise application disposed externally to the PSTN; and,

during an attempt to establish a call between a subscriber to the PSTN and the call center, retrieving from the LIDB a searching key corresponding to the subscriber and forwarding said searching key to said enterprise application for use in retrieving call information stored externally to the PSTN.

10. (Original) The method of claim 9, wherein said forwarding step comprises the step of forwarding said searching key to said enterprise application via a gateway node coupled both to said enterprise application and the PSTN.

11. (Original) A machine readable storage having stored thereon a computer program for processing a call in a call center using information stored in a line information database (LIDB), the computer program comprising a routine set of instructions which when executed by the machine cause the machine to perform the steps of:

retrieving a searching key from the LIDB associated with the call;

querying an enterprise application based upon said retrieved searching key to retrieve caller data; and,

presenting said caller data to a call center operator processing the call.

12. (Original) The machine readable storage of claim 11, wherein said retrieving step comprises the step of retrieving said searching key from a gateway node disposed intermediately between the LIDB in a public switched telephone network (PSTN) and said enterprise application.

13. (Original) The machine readable storage of claim 12, wherein said retrieving step further comprises the steps of:

retrieving a combined name and address associated with the call from said gateway node;
and,
passing said combined name and address to said querying step as said retrieved searching key.

14. (Original) The machine readable storage of claim 11, further comprising the step of presenting an incomplete set of caller data where said searching key cannot be retrieved from the LIDB.

15. (Original) The machine readable storage of claim 11, further comprising the step of routing the call to a particular operator based upon said retrieved searching key.

16. (Original) A machine readable storage having stored thereon a computer program for processing a call in a call center using information stored in a line information database (LIDB)

in a public switched telephone network (PSTN), the computer program comprising a routine set of instructions which when executed by the machine cause the machine to perform the steps of:

for selected ones of subscribers to the PSTN, storing within subscriber records in the LIDB a searching key into an enterprise application disposed externally to the PSTN; and,

during an attempt to establish a call between a subscriber to the PSTN and the call center, retrieving from the LIDB a searching key corresponding to the subscriber and forwarding said searching key to said enterprise application for use in retrieving call information stored externally to the PSTN.

17. (Original) The machine readable storage of claim 16, wherein said forwarding step comprises the step of forwarding said searching key to said enterprise application via a gateway node coupled both to said enterprise application and the PSTN.

IX. EVIDENCE APPENDIX

No evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 of this title or of any other evidence entered by the Examiner has been relied upon by Appellant in this Appeal, and thus no evidence is attached hereto.

X. RELATED PROCEEDINGS APPENDIX

Since Appellant is unaware of any related appeals and interferences, no decision rendered by a court or the Board is attached hereto.